

Remarks:

Applicant has carefully studied the non-final Examiner's Action mailed 03/21/2005, having a shortened statutory period for response set to expire 06/21/2005, and all references cited therein. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by centered headings and numbered paragraphs that correspond to the centered headings and paragraph numbering employed by the Office, to ensure full response on the merits to each finding of the Office.

Claim Objections

1. Claims 3, 8 and 9 stand objected to because claim 3 should depend from claim 2. This ground of rejection has been rendered moot by the cancellation of claim 2 and the incorporation of the subject matter of claim 2 into claim 1, currently amended. Therefore, claim 3 now properly depends from claim 1. Claim 7 is now numbered so that the penultimate claim is number 8 and the ultimate claim is number 9.

Claim Rejections – 35 U.S.C. § 102

2. Applicant acknowledges the quotation of 35 U.S.C. § 102(b).

3. Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by the admitted prior art. Applicant agrees that claim 1 can be construed as defining both the invention and the prior art device of Figs. 1-3. Accordingly, claim 2 is cancelled and the subject matter thereof is incorporated into claim 1.

Allowable Subject Matter

4. Claim 2-9 stand objected to as being dependent from a rejected base claim. Accordingly, claim 2 is cancelled and the subject matter of claim 2 is added to claim 1. Claim 1 and dependent claims 3-9 are therefore in condition for allowance.

Conclusion


5. Applicant agrees that the art made of record and not relied upon is not more pertinent to the claimed invention than the art cited.

If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone

call to the undersigned at (727) 507-8558 is requested. Applicant thanks the Office for its careful examination of this important patent application.

Very respectfully,

SMITH & HOPEN

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Dated: June 15, 2005

pc: Mr. David E. Dubats

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3743, Attn: Mr. Fadi H. Dahbour, (703) 872-9306 on June 15, 2005.

Dated: June 15, 2005



Deborah Preza